

Regarding the election of claimed species regarding invention II, Applicant respectfully traverses on the grounds that in order to establish that combination and subcombination inventions are distinct, the invention does not require the particulars of the subcombination as claimed for patentability and the subcombination can be shown to have utility by itself. (See MPEP, Section 806.05( c)).

Contrary to the assertion in the Office Action, invention I does require the particulars of Invention II (as identified as the subcombination). Indeed, the tool for use with a rocket (claims 1-4) includes the same structural features, that is, the features of claims 5-10, to interface with the back (aft end) of a rocket to lock the rocket in place, and thus these features of claims 5-10 are essential to the combination. Further, Applicant may need to identify these features, e.g., the arcuate peripheral surface or axial end face or a rectangular recess, during prosecution of claims 1-4. Thus, claims 1-4 do require the particulars of claims 5-10 (as identified as the combination).

Second, please note, the tool head is for use with a rocket. Applicant traverses the assertion that the tool head can be used as socket-type tool head. In particular, the tool head 11 includes a forward face, including an arcuate rim 72 with an interior radial dimension substantially equal to the corresponding dimension of an annular surface 32 at the rocket aft end 21. Therefore, this structural is not configured as a simple socket-type tool head as asserted in the Office Action. Thus, the criteria of distinctness for combinations and subcombinations under MPEP Section 806.05 (c ) have not been met. (See Office Action, Page 2, Paragraph 2; and Application, Page 11, lines 15-30).

In addition, Applicant respectfully submits that the subject matter of all of claims 1-10 is sufficiently related that a thorough search for the subject matter of any one group

of claims would overlap a search for the subject matter of the remaining claims. In particular, the tool for use with a rocket includes the structural features of the tool head. Thus, Applicant respectfully submits that the search and examination of the entire application, or at least claims 1-10, could be performed without serious burden to the Examiner and not require an election of species.

Applicants respectfully submit that the policy requiring the examination of the entire application, even though it may include distinct inventions and/or species, should be applied in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office. Applicants respectfully request reconsideration and withdrawal of the election of species requirement and to examine all species and claims in this application, or at least the elected invention.

However, in the alternative, should the Examiner still not be persuaded by the above discussion, and to facilitate prosecution though reserving the right to Petition an Election Requirement, Applicants provisionally elect, with traverse, a single species of invention II, that is, the tool head.

Finally, as indicated above, regarding the above method of making the above article of manufacture on which at least claims 11-14 are readable, Applicant respectfully does not elect these claims but reserves the right to file, timely, a divisional application containing these claims.

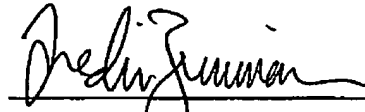
Early favorable prosecution on the merits is respectfully requested.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone

number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

Respectfully submitted,

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